

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 3:09CR23**

**DARRIE JERMAINE TOWNSEND**

**ORDER**

This cause is before the Court on the defendant's Motion to Continue Trial and All Deadlines [11]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The defendant seeks a continuance of the trial set to commence on April 20, 2009. In support of the motion, defense counsel avers that he has had insufficient time to devote to trial preparation due to his obligations in numerous other matters. The government has no objection to the requested relief. Based on the foregoing, the Court finds that the defendant's motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(7)(A), the period of delay from October 22, 2007 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford defendant a reasonable time for adequate and effective preparation of his defense. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. Defendant's Motion to Continue Trial and All Deadlines [11] is GRANTED;
2. That the trial of this matter is continued until Monday, June 1, 2009 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from April 20, 2009 until June 1, 2009 is excluded as set out above;
4. That the deadline for filing pretrial motions is May 11, 2009;
5. That the deadline for submitting a plea agreement is May 18, 2009.

SO ORDERED, this the 3<sup>rd</sup> day of April, 2009.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE